

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Toshiya FUJISATO, et al.

Serial No.: 10/562,833

International Application No. : PCT/JP2004/009436

International Filing Date : 02 July 2004 (02.07.2004)

Priority Date(s) Claimed : 04 July 2003 (04.07.2003)

Title: METHOD OF CELL INJECTION INTO BIOTISSUE AND APPARATUS THEREFOR

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts dated July 10, 2006:

- Attached is a Declaration and Power of Attorney in compliance with 37 CFR § 1.53 along with the late filing surcharge of \$130.00
- Applicant(s) include the filing fee of \$1000.00/\$500.00.
- Applicant(s) include the extra claims fee of \$ \_\_\_\_\_ for \_\_\_\_\_ claims in excess of 20 at \$50/\$25 per additional claim and the extra claim fee of \$ \_\_\_\_\_ for \_\_\_\_\_ independent claims in excess of 3 at \$200/\$100 per additional claim.
- Applicant(s) include an executed assignment and Recordation Form Cover Sheet with the recordation fee of \$40.00 (Check No. 37621).
- Attached is a copy of the Notice to File Missing Parts.
- Applicant(s) request that the time for taking action in this case be extended pursuant to 37 CFR 1.136(a) for a period of \_\_\_\_\_ along with the fee of \$120.00/\$450.00/\$1020.00/\$1590.00/\$2160.00.
- Applicant(s) are entitled to small entity status.

- Attached is a verified English translation of the language text filed on along with the fee of \$130.00.
- Applicant(s) include the fee of \$ for pages in excess of 100 pages at \$250 for each additional 50 pages.
- Applicant(s) provide the title of the invention/inventor(s) name(s) and address(es) on the attached provisional application cover sheet along with the \$50/\$25 surcharge.
- Attached is the Sequence Disclosure as required. Applicants hereby state that the paper and disk versions are identical and not contain new matter.
- Attached is the Substitute Specification as required.
- Attached are the substitute drawings as required.
- Attached is an Information Disclosure Statement and PTO-1449.
- Attached is a certified copy of Application No. filed on Acknowledgment of receipt of this document is hereby requested.

Attached is a check in the amount of \$ 130.00. However, the Commissioner is hereby authorized to charge fees under 37 CFR § 1.16 and § 1.17 which may be required to facilitate this filing, or credit any overpayment to Deposit Account #13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,



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Anthony J. Zelano, Reg. No. 27,969  
Attorney/Agent for Applicants

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Attorney Docket No.: AKA-292

Date: September 6, 2006



## UNITED STATES PATENT AND TRADEMARK OFFICE

JUL 13 2006

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

|                             |                       |                                     |
|-----------------------------|-----------------------|-------------------------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO.                    |
| 10/562,833                  | Toshiya Fujisato      | AKA-0292                            |
|                             |                       | INTERNATIONAL APPLICATION NO.       |
|                             |                       | PCT/JP04/09436                      |
|                             |                       | I.A. FILING DATE      PRIORITY DATE |
|                             |                       | 07/02/2004      07/04/2003          |
| CONFIRMATION NO. 8388       |                       |                                     |
| 371 FORMALITIES LETTER      |                       |                                     |
| <br>*OC000000019539105*     |                       |                                     |

Date Mailed: 07/10/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/30/2005
- Copy of the International Search Report filed on 12/30/2005
- Preliminary Amendments filed on 12/30/2005
- Information Disclosure Statements filed on 12/30/2005
- U.S. Basic National Fees filed on 12/30/2005
- Priority Documents filed on 12/30/2005

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CASE \_\_\_\_\_

ACTION \_\_\_\_\_

DUE DATE \_\_\_\_\_

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

*Jeffrey Ladd  
1/30*

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHRISTINE S WASHINGTON

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Telephone: (703) 308-9140 EXT 228

PART 1 - ATTORNEY/APPLICANT COPY

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| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/562,833                  | PCT/JP04/09436                | AKA-0292         |

FORM PCT/DO/EO/905 (371 Formalities Notice)